



Attorney Docket Number 0263421-0042

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TUBULAR DIAPHRAGM TANK

the specification of which:

___ is attached hereto

X was filed on September 9, 2003 as Application Serial No. 10/658,705 and amended on _____ (if applicable).

___ was filed as PCT international application No. _____,
on _____ and was amended under PCT Article 19
on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledged the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s):

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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_____ (Number)	_____ (Country)	_____ (Day/Month/Year/Filed)	_____ Yes	_____ No
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I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) or PCT international application(s) designating the United States of America listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>(Application Serial No.)</u>	<u>(filing date)</u>	<u>(status-patented, pending, abandoned)</u>
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PCT Applications designating the United States:

<u>(PCT Appl. No.)</u>	<u>(filing date)</u>	<u>(status-patented, pending, abandoned)</u>
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I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national filing date of this application.

Provisional Application(s):

<u>(Application Serial No.)</u>	<u>(filing date)</u>	<u>(status-patented, pending, abandoned)</u>
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United State Code and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

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NO. 498 P. 5

- 1) Full name of first inventor: Robert Lombardi

Inventor's signature: *Robert Lombardi*Date: April 6, 2004Mailing Address: 86 Pound Hill Road, North Smithfield, RI 02896Citizenship: USAResidence (if different from mailing address): City: North Smithfield State: RI

- X 2) Full name of second inventor: Wei-Chiao Lo

Inventor's signature: *Wei-Chiao Lo*Date: April 6, 2004Mailing Address: 11 Lane 16, Shih-Shing Rd., Bei-Ton Dist. Taichung TAIWANCitizenship: TaiwanResidence (if different from mailing address): City: Taichung State: TAIWAN

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ATTN: Pat Sterling.

ASSIGNMENT

In consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt of which is hereby acknowledged, the undersigned **Robert Lombari, and Wei-Chiao Lo**, hereby

Sell, assign and transfer to **Flexcon Industries**, a Massachusetts corporation, having a place of business at **300 Pond Street, P. O. Box 782, Randolph, MA 02368**, its successors, assigns and legal representatives, all hereinafter referred to as the ASSIGNEE, the entire right, title and interest for the United States and all foreign countries, in and to any and all inventions which are disclosed in the application for United States Patent filed **September 9, 2003** and entitled "**TUBULAR DIAPHRAGM TANK**," application serial no. 10/658,705 (attorney docket no. 0263421-0042) and in and to said application and all utility, divisional, continuing, substitute, renewal, reissue and all other applications for Letters Patent which have been or shall be filed in the United States and all foreign countries on any of said inventions; and in and to all original and reissued patents which have been or shall be issued in the United States and all foreign countries on said inventions including the right to apply for patent rights in each foreign country and all rights to priority.

Agree that said ASSIGNEE may apply for and receive Letters Patent for said inventions in its own name; and when requested, without charge to but at the expense of said ASSIGNEE, agree to carry out in good faith the intent and purpose of this assignment by executing all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all said inventions, by executing all rightful oaths, assignments, powers of attorney and other papers, by communicating to said ASSIGNEE all facts known to us relating to said inventions and the history thereof, and generally by doing everything possible which said ASSIGNEE shall consider desirable for aiding in securing and maintaining proper patent protection for said inventions and for vesting title to said inventions and all applications for patents and all patents on said inventions, in said ASSIGNEE.

Hereby request the Honorable Commissioner of Patents and Trademarks to issue said Letters Patent to said ASSIGNEE.

Covenant with said ASSIGNEE that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been made to others by us, and that full right to convey the same as herein expressed is possessed by us

Dated: 2/2/04Robert Lombardi
Witnessed by:Dated: 2/2/04Patricia A. Sterling
Witnessed by:PATRICIA A. STERLING
Printed Name of WitnessDated: 2/2/04CATHLEEN M. LOZANSKI
Witnessed by:CATHLEEN M. LOZANSKI
Printed Name of WitnessDated: Jan. 30, 2004Wei-Chiao Lo
Witnessed by:Dated: Jan. 30, 2004Eric Williams
Witnessed by:Eric Williams
Printed Name of Witness

Dated: _____

Witnessed by: _____

Printed Name of Witness _____

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